

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** Frankard, et al.**Examiner:** Unassigned**Serial No.:** 10/584,024**Group:** Unassigned**Corresponding to:****International Appln. No.:** PCT/EP2004/053683**Docket:** 1187-31**International Filing Date:** December 22, 2004**Dated:** April 28, 2008**Priority Date Claimed:** December 22, 2003**For: PLANTS HAVING INCREASED  
YIELD AND METHOD  
FOR MAKING THE SAME****Mail Stop PCT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING  
REQUIREMENTS UNDER 35 U.S.C. §371**

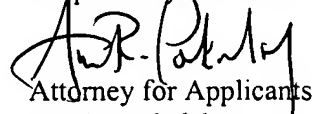
Dear Sir:

In response to the Response to Notification of Missing Requirements under 25 U.S.C. §371, applicants submit herewith an executed inventor's declaration, Application Data Sheet and Preliminary Amendment.

A copy of the Notice is also submitted herewith.

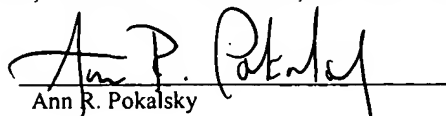
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Respectfully submitted

  
Attorney for Applicants  
Ann R. Pokalsky  
Registration No.: 34,697**CERTIFICATION UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: April 28, 2008

  
Ann R. Pokalsky



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U.S. APPLICATION NUMBER NO. 10/584,024	FIRST NAMED APPLICANT Valerie Frankard	ATTY. DOCKET NO. 1187-31		
		INTERNATIONAL APPLICATION NO. PCT/EP04/53683		
		CONFIRMATION NO. 4438 371 FORMALITIES LETTER		
28249 DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. SUITE 702 UNIONDALE, NY 11553		<table border="1"><tr><td>I.A. FILING DATE 12/22/2004</td><td>PRIORITY DATE 12/22/2003</td></tr></table>  OC000000028513673	I.A. FILING DATE 12/22/2004	PRIORITY DATE 12/22/2003
I.A. FILING DATE 12/22/2004	PRIORITY DATE 12/22/2003			

Date Mailed: 02/28/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 06/22/2006
- Copy of the International Search Report filed on 06/22/2006
- Preliminary Amendments filed on 06/22/2006
- Information Disclosure Statements filed on 01/16/2007
- Biochemical Sequence Diskette filed on 06/22/2006
- Oath or Declaration filed on 06/22/2006
- Biochemical Sequence Listing filed on 06/22/2006
- U.S. Basic National Fees filed on 06/22/2006
- Priority Documents filed on 06/22/2006

DOCKET \_\_\_\_\_  
PAPER \_\_\_\_\_  
DUE DATE 4/28  
ATTORNEY apl

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

VIRGINIA L IRBY

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